

Practitioner's Pocket No. 1322/28/3

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: McCann et al.

Application No.: 09/747,070

Group No.: 2666

Filed: 12/22/2000

Examiner: M. Jagannathan

For: METHODS AND SYSTEMS FOR ROUTING MESSAGES IN A COMMUNICATIONS NETWORK

**Mail Stop RCE**

**Commissioner for Patents**

**P.O. Box 1450**

**Alexandria, VA 22313-1450**

**TERMINAL DISCLAIMER TO OBVIATE  
A DOUBLE PATENTING REJECTION (37 C.F.R. § 1.321(c))**

**Identification of Person(s) Making This Disclaimer**

I, Gregory A. Hunt, represent that I am the attorney of record.

**EXTENT OF DISCLAIMANT'S INTEREST**

The extent of the interest in this invention that the disclaimant owns is in the whole of this invention.

**DISCLAIMER  
(Obviousness-Type Double Patenting Rejection Over A Prior Patent)**

---

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is **mandatory**;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. § 1.8(a)**

☐ with sufficient postage as first class mail.

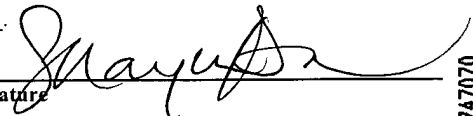
**37 C.F.R. § 1.10\***

☒ as "Express Mail Post Office to Addressee"

Mailing Label No. EV733194379US (mandatory)

**TRANSMISSION**

☐ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_ - \_\_\_\_\_

  
Signature

Date: October 11, 2005

Shaylor E. Dunn

*(type or print name of person certifying)*

*\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.*

~~10/13/2005 HLE333 00000093 500426 09747070~~

Terminal Disclaimer to Obviate a Double Patenting Rejection--page 1 of 2

05 FC:1814

10/13/2005 HLE333 00000093 09747070

05 FC:1814 130.00 DA

Petitioner hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application, which would extend beyond the expiration date of Patent No. 6,836,477 as presently shortened by any terminal disclaimer. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the above-listed patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. Sections 154 to 156 and 173 of the patent forming the basis of the double patenting rejection, namely, Patent No. 6,836,477, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. Section 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

**DISCLAIMER FEE (37 C.F.R. § 1.20(d))**

Other than a small entity--fee \$130.00.

**FEE PAYMENT**

Authorization is hereby made to charge the amount of \$1,670.00 (representing the \$450.00 Extension of Time fee, the \$300.00 additional claims fee, the \$790.00 Request for Continued Examination fee, and the \$130.00 Terminal Disclaimer fee) to Deposit Account No. 50-0426.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

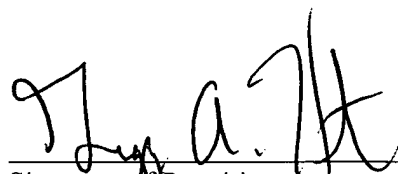
A duplicate of this paper is attached.

Date: October 11, 2005

Reg. No.: 28,428

Tel. No.: 001-919-493-8000

Customer No.: 41,085

  
\_\_\_\_\_  
Signature of Practitioner  
Gregory A. Jenkins  
Jenkins, Wilson & Taylor, P.A.  
Suite 1400 University Tower  
3100 Tower Boulevard  
Durham, NC 27707  
USA